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Attn: Examiner Nguyen, Vi X  
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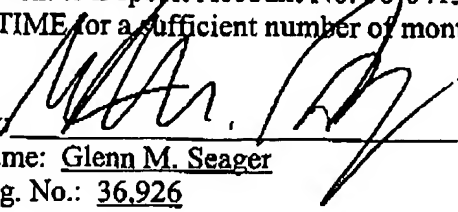
FROM: Glenn M. Seager

OUR REF: 1001.1351114  
TELEPHONE: 612.359.9312Total pages, including cover letter: 2PTO FAX NUMBER 703-872-9306

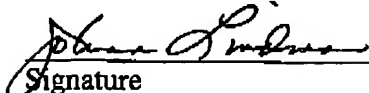
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Title of Document Transmitted:	<u>Communication</u>
Applicant:	<u>John M.K. Daniel</u>
Serial No.:	<u>10/650,304</u>
Filed:	<u>August 28, 2003</u>
Group Art Unit:	<u>3731</u>
Our Ref. No.:	<u>1001.1351114</u>
Confirmation No.	<u>6921</u>
Customer No.	<u>28075</u>

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

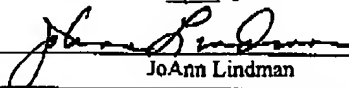
Application No.: 10/650,304 Confirmation No.: 6921  
Applicant : John M.K. Daniel et al.  
Filed : August 28, 2003  
TC/A.U. : 3731  
Examiner : Nguyen, Vi X  
Title : DISTAL PROTECTION DEVICE AND METHOD  
Docket No. : 1001.1351114  
Customer No. : 28075

**COMMUNICATION**

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PO Box 1450  
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CERTIFICATE UNDER 37 C.F.R. 1.06(d): The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 703-872-9306, on this 20 day of April, 2005.

By

  
JoAnn Lindman

Dear Sir:

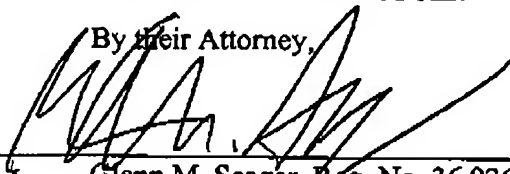
U.S. Patent Nos. 6,663,652 and 6,872,216, members of the same patent family of the above-captioned application have been asserted against an infringer in the U.S. District Court, District of Minnesota. The lawsuit is captioned: Boston Scientific Scimed, Inc., a Minnesota corporation, and Boston Scientific Corporation, a Delaware corporation, Plaintiffs, v. EV3 INC., a Delaware corporation, Defendant, Civil Action No. 05-0651.

Respectfully submitted,

JOHN M.K. DANIEL ET AL.

By their Attorney,

Date:

April 20, 2005

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